

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**FEIN, SUCH, KAHN & SHEPARD, P.C.**

Counsellors at Law  
7 Century Drive - Suite 201  
Parsippany, New Jersey 07054  
(973) 538-9300  
Attorneys for Secured Creditor  
Select Portfolio Servicing, Inc., as  
servicer for CSMC 2020-RPL2 Trust  
R.A. LEBRON, ESQ.  
SPS2549  
bankruptcy@fskslaw.com

In Re:

HENRY BELL, JR.

Debtor(s).

Case No.: 22-15432 RG

Chapter: 13

Adv. No.:

Hearing Date: 09/07/2022

Judge: Hon. Rosemary Gambardella

**OBJECTION OF SELECT PORTFOLIO  
SERVICING, INC., AS SERVICER FOR  
CSMC 2020-RPL2 TRUST TO  
CONFIRMATION OF DEBTOR'S PLAN**

I, R.A. LEBRON, ESQ., do hereby certify as follows:

1. I am an attorney at law of the State of New Jersey associated with the law firm of FEIN, SUCH, KAHN & SHEPARD, PC, attorneys for Select Portfolio Servicing, Inc., as servicer for CSMC 2020-RPL2 Trust, ("Secured Creditor" herein), and I am fully familiar with the facts and circumstances of the within matter.

2. Secured Creditor objects to confirmation of Debtor's plan for the reasons which follow:

(a) Secured Creditor holds the first mortgage on Debtor's residence which is located at 299 EGE

AVENUE, JERSEY CITY NJ 07304. As of the date of the bankruptcy filing, Debtor was in default on the terms of the Note and Mortgage. Total arrears due to Secured Creditor through the plan is estimated at \$4,751.28. Secured Creditor intends to file a proof of claim with the Court.

- (b) The Debtor's proposed Plan does not provide for payment of arrears and maintenance of regular monthly mortgage payments to the Secured Creditor. Absent a modification by the Debtor, this plan cannot be confirmed.
- (c) Furthermore, Secured Creditor objects to Debtor's confirmation in that if the Debtor is post-petition delinquent at confirmation and Debtor's case is dismissed, then any excess funds that the Chapter 13 Trustee is holding should be released to the Secured Creditor. Absent the release of such excess funds in the possession of the Trustee, Secured Creditor is substantially harmed as the Debtor has enjoyed the benefit of the automatic stay to the detriment of Secured Creditor. Absent such language in the Order of Confirmation, confirmation of Debtor's plan must be denied.

3. For the reasons stated above, and for any others that the Court deems fit to adopt, Secured Creditor respectfully objects to

Debtor's plan and confirmation thereof.

4. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

**FEIN, SUCH, KAHN & SHEPARD, P.C.**  
Attorneys for Secured Creditor

/s/ R.A. Lebron, Esq.  
R.A. LEBRON, ESQ.

DATED: August 15, 2022

cc: MOSHIE SOLOMON, ESQ. - DEBTOR(S)' ATTORNEY  
MARIE-ANN GREENBERG - TRUSTEE

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**CERTIFICATION OF SERVICE**

1. I, Ruth Essington:

☐ represent the \_\_\_\_\_ in this matter.

☒ am the secretary/paralegal for FEIN, SUCH, KAHN & SHEPARD, P.C.,  
who represents the Secured Creditor, CSMC 2020-RPL2 Trust in this  
matter.

☐ am the \_\_\_\_\_ in the above case and am  
representing myself.

2. On August 15, 2022, This office caused to be mailed a copy of the  
following pleadings and/or documents to the parties listed in the  
chart below:

a. Objection to Confirmation of Plan.

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Moshie Solomon Law Offices of Moshie Solomon, P.C. One University Plaza, Suite 412 Hackensack, NJ 07601	Debtor(s)' Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other: <u>Notice of Electronic Filing</u> (D.N.J. LBR 5005-1)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004-1550	Trustee in Bankruptcy	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other: <u>Notice of Electronic Filing</u> (D.N.J. LBR 5005-1)
Henry Bell, Jr. 299 Ege Avenue Jersey City, NJ 07304	Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other: <u>Notice of Electronic Filing</u> (D.N.J. LBR 5005-1)
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other: <u>Notice of Electronic Filing</u> (D.N.J. LBR 5005-1)

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: 08/15/22

/s/Ruth Essington

Paralegal